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Title: Regarding Taxation Laws (Second Amendment) Bill, 2016.

श्री महिलकार्जुन खड़गे (गुलबर्गा) : मैडम स्पीकर, मैं कहना चाहता हूँ ... (व्यवधान)

माननीय अध्यक्ष : नया क्या है?

â€¦ (व्यवधान)

श्री महिलकार्जुन खड़गे: एडजर्नमेंट मोशन लीजिए। ... (व्यवधान)

माननीय अध्यक्ष : नहीं नहीं, इसके अलावा नया कुछ हो तो बताइए। If you are talking about Adjournment Motion, I am sorry. If there is anything new, I will allow. â€¦

(Interruptions)

HON. SPEAKER: I have given my ruling on that. So, again and again talking about Adjournment Motion is not allowed. If any new thing is there, I will allow you and that too for 30 seconds only. दो मिनट वगैरह नहीं होता है।

â€¦ (व्यवधान)

HON. SPEAKER: Otherwise we will take the Bill.

श्री महिलकार्जुन खड़गे: मैडम स्पीकर, यह इंपॉर्टेंट इसलिए है कि हम भी समय व्यर्थ नहीं करना चाहते हैं। आप स्ट्रेटअवे अगर एडजर्नमेंट मोशन को परमीशन देते हैं तो निश्चित रूप से डिसकशन चलेगा।

HON. SPEAKER: I have given my ruling.

श्री महिलकार्जुन खड़गे: उसमें यह बिल भी डिसकस करेंगे। इस बिल में भी जो है, वह उसी में मिलकर डिसकस करेंगे। इसीलिए आप एडजर्नमेंट मोशन को लीजिए। ... (व्यवधान) Bill will also be discussed.

HON. SPEAKER: I have given my decision.

श्री महिलकार्जुन खड़गे: उसमें कहीं कमियाँ हैं, कहीं-कहीं उनकी गलतियाँ हैं, कैसे उनको सुधार सकते हैं, वह देखना है। आज देश इतना परेशान है कि 80 के ऊपर लोग मर चुके हैं, सैकड़ों लोग घायल हो चुके हैं। इसीलिए जो आप बिल के बारे में बोल रहे हैं, अगर एडजर्नमेंट मोशन के लिए परमीशन देते हैं तो दोनों को मिलाकर कर सकते हैं। ... (व्यवधान)

HON. SPEAKER: How can we take both these things?

श्री महिलकार्जुन खड़गे: उस पर भी वोटिंग होनी चाहिए और इसके लिए भी वोटिंग होनी चाहिए। इसीलिए अगर दोनों को मिला दें। ... (व्यवधान)

माननीय अध्यक्ष : बिल के अमेंडमेंट पर तो वोटिंग होनी ही है।

â€¦ (व्यवधान)

श्री महिलकार्जुन खड़गे: अगर दोनों का संगम होगा तो नैचुरली यह बिल भी पास हो जाएगा और हमारा डिसकशन भी होगा। ... (व्यवधान)

रसायन और उर्वरक मंत्री तथा संसदीय कार्य मंत्री (श्री अनन्तकुमार): अध्यक्ष जी, मैं खड़गे जी से इतना ही कहना चाहूँगा कि एडजर्नमेंट मोशन के बारे में अपनी राय हम कह चुके हैं। हम बहस के लिए तैयार हैं और आप कृपया बिल ले लीजिए। ... (व्यवधान)

HON. SPEAKER: I have given my decision.

SHRI SUDIP BANDYOPADHYAY (KOLKATA UTTAR): The Bill was introduced. We are not prepared yesterday to study it either. It was a very hasty decision and it was circulated amongst us. It has already been declared by the Central Government official that it is going to be implemented within 15th of the next month. It is already out. Though the Bill is under consideration, it is already exposed that what the purpose of the Government is. ... (Interruptions) So, what I would propose is to consider these two – this Bill, this Motion and the demonetization issue - can be clubbed together, then discussion can start.

HON. SPEAKER: No, this Bill cannot be clubbed with Adjournment Motion. ... (Interruptions)

SHRI SUDIP BANDYOPADHYAY : No Madam, it can be clubbed. This is a part of the demonetization issue. It is a follow up step. It is not coming up separately. It is a follow up reflection.... (Interruptions)

HON. SPEAKER: While discussing this Bill, you can say whatever you want to say.

SHRI BHARTRUHARI MAHTAB (CUTTACK): Madam Speaker, the Taxation Law (Second Amendment) Bill is a very important Bill. It deals with the Taxation law, amendment to the Income Tax Act and it has serious repercussions on the Taxation Policy of the country. But, in all urgency, it was brought yesterday. It was not listed. Today it is listed for consideration and passing. We have moved some amendments. Shri Premachandran has moved some amendments. Shri Rajeev Satav has moved some amendments. But these are all amendments of a very technical nature. I was going through the Bill. It needs some more improvement, and I think, the Finance Minister will agree that whatever deliberations will be done in this House will always improve the structure of the Bill. But before we come to the Bill, the House has to be in order and for that, it is necessary that from our

Party, our Chief Minister has welcomed....(*Interruptions*)

HON. SPEAKER: One minute please.

SHRI BHARTRUHARI MAHTAB : Our Chief Minister and our Party have welcomed the demonetization policy. There have been some flaws or some difficulties on the implementation part. We also, therefore, demand a deliberation, a discussion relating to that issue. Therefore, Madam, first let us take up the discussion on demonetization issue and then we can have a structured deliberation on the Taxation Laws (Second Amendment) Bill, which is necessary. It is because there are two issues. ...(*Interruptions*)

Very rightly, I would request Shri Sudip Bandyopadhyay also. One is the demonetization issue and another is the taxation policy attacking black money. Cutting across party lines, all the political parties in this House are against the scourge of black money. The respective Governments, be it the previous Government or be the Atal Ji's Government from 1998-2004 all had spoken and acted against black money. When Dr. Saheb was there as the Prime Minister, he had also taken lot of initiatives to attack black money. And, if this Bill is attacking black money, I think there would be no hesitation from any quarter to stop or delay this Bill. But first let us take up the demonetization issue in whatever form it may be. If all the leaders agree, we can work out on the Motion on which we can discuss, and voting can also take place. ...(*Interruptions*)

HON. SPEAKER: Yes, Jaitley Ji.

...(*Interruptions*)

माननीय अध्यक्ष : सबको बोलने की आवश्यकता नहीं है, बात सामने आ गई है।

â€¦(व्यवधान)

HON. SPEAKER: No, everybody will not say something.

...(*Interruptions*)

SHRI P. KARUNAKARAN (KASARGOD): You can listen to the Communist Party....(*Interruptions*)

HON. SPEAKER: I have already called him. I know your view. It is all right. Let him speak.

...(*Interruptions*)

HON. SPEAKER: From your Party, Shri Sudip Bandyopadhyay has explained.

...(*Interruptions*)

SHRI K.C. VENUGOPAL (ALAPPUZHA): Madam, I am raising a point of order....(*Interruptions*)

HON. SPEAKER: No, not now.

...(*Interruptions*)

SHRI K.C. VENUGOPAL: Madam, I am raising a point of order. ...(*Interruptions*)

HON. SPEAKER: No, please.

...(*Interruptions*)

HON. SPEAKER: Only Jaitley Ji's speech will go on record.

...(*Interruptions*) â€¦*

HON. SPEAKER: Under what rule? No, there is no point of order. What is it?

...(*Interruptions*)

HON. SPEAKER: Arun Jaitley Ji, you can go on. I have allowed you.

...(*Interruptions*)

HON. SPEAKER: No, I am sorry.

...(*Interruptions*)

HON. SPEAKER: I will listen to your point of order. What is it?

...(*Interruptions*)

वित्त मंत्री तथा कॉर्पोरेट कार्ग मंत्री (श्री अरुण जेटली) : आप प्वाइंट ऑफ आर्डर एलाऊ कर दीजिए, मैं जवाब दे देता हूँ। ...(*व्यवधान*)

HON. SPEAKER: All right, under what rule are you raising the point of order?

...(*Interruptions*)

SHRI K.C. VENUGOPAL : Madam, as per rule 81, I am raising a point of order.

Here the hon. Minister has risen and today's List of Business has also stated that an IT (Amendment) Bill is going to be taken up for consideration and passing today itself. We moved amendment within a short span of time. The time of amendment has to be before 12 o' clock. Already, I have moved an amendment and that was accepted by the Government also. But for that amendment there is a need for the President's assent. I moved the amendment at 12 o' clock. Then, the Government printed it at 12.30 p.m. How can the President's assent be given within a short span? That means, anticipating the President's assent, the President has been brought here controversially. Is it possible to obtain the President's assent within a span of one hour? Hon. Finance Minister, is it possible? That means, you are bulldozing an important law without any homework. ...(*Interruptions*) Therefore, this should be postponed....(*Interruptions*)

HON. SPEAKER: Saugata Roy ji, do you want to raise a point of order? Please mention the Rule number.

...(*Interruptions*)

PROF. SAUGATA ROY (DUM DUM): I want to raise a point of order under Rules 72, 74, 75 and Articles 117 and 274 of the Constitution of India. ...(*Interruptions*)

Madam, I am talking about the Taxation Laws (Second Amendment) Bill, 2016. Yesterday, at 2 o'clock, while there was din and turmoil in the House and when the Members protesting against demonetization, the Finance Minister came *â€* and introduced the Bill. ...(*Interruptions*)

HON. SPEAKER: What word is it? I do not know. What is the word?

...(*Interruptions*)

PROF. SAUGATA ROY: It is *â€* It is not unparliamentary....(*Interruptions*)

SHRI ANANTHKUMAR : *â€* *is a wrong word. It has to be expunged....(*Interruptions*)

HON. SPEAKER: Okay, I will see it. Please do not use this word.

...(*Interruptions*)

PROF. SAUGATA ROY : May I use the word stealthily or may I use another word furtively ...(*Interruptions*) So, he introduced the Bill furtively. ...(*Interruptions*) Please listen to me. ...(*Interruptions*)

Normally what happens when a Bill is to be brought, it is included in the List of Business. In yesterday's List of Business the Taxation Laws (Second Amendment) Bill was not there. If it was there, then we would have moved opposition to the introduction under Rule 72(1). But we were deprived of that basic opportunity of opposing the introduction of an anti-people Bill. Anyway, that happened.

Then, what is the next stage in the Bill? The second stage is that the Bill may be taken into consideration under Rule 74. Then, under Rule 75, there may be a discussion on the principles of the Bill. Madam, as you know, the House has been in turmoil since 16th of November. Everyday you have to adjourn the House three to four times. Now, this is a Bill, which affects the Government's misguided efforts on demonetization, black money, etc. This is a follow-up of the Government's decision to demonetize Rs.500 and Rs.1000 notes. The House has been in a total turmoil. All of us in the Opposition Benches vocally oppose the decision of the Government. ...(*Interruptions*)

All I want to say is that in such an important Bill, the Finance Minister is proposing a Pradhan Mantri Garib Kalyan Kosh to give a special opportunity to black money holders. This is a serious matter....(*Interruptions*)

HON. SPEAKER: You are talking about the Bill. You have started the discussion.

...(*Interruptions*)

PROF. SAUGATA ROY: I will not talk on the Bill. ...(*Interruptions*) Madam, this Bill should be discussed in all seriousness with full-fledged deliberation. As you know, when it was being discussed in the Business Advisory Committee, the Government wanted only two hours for discussion....(*Interruptions*)

SHRI MALLIKARJUN KHARGE: Let us not discuss it here....(*Interruptions*)

PROF. SAUGATA ROY: Okay, we will not discuss it. ...(*Interruptions*)

Now, another very vital point was mentioned by Mr. Venugopal. ...(*Interruptions*)

HON. SPEAKER: Please conclude.

PROF. SAUGATA ROY: Madam, it is not over....(*Interruptions*)

Under Articles 117 and 274 of the Constitution, before bringing the Bill, the President's recommendation has to be obtained. The Minister must have obtained the President's recommendation. Now, we are putting amendments for the same. Then, for the amendments to be fruitful, again the President's assent is necessary under Articles 117 and 274. All I want to say is that for a proper and structured discussion on the Government's misguided efforts to curb black money through this Bill, it is necessary that the House be in perfect order and the House can be in perfect order after we have discussed the demonetization issue through an adjournment motion. Unless that happens, discussion on this Bill ...(*Interruptions*) The plan of the Government is, again, furtive. They are trying to pass the Bill in the din. The Minister will read and there will be 'ayes'. ...(*Interruptions*) Madam, this should not happen. The future of the nation is at stake. This Government's effort of no discussion on the Bill should not be allowed. We should have a proper discussion. ...(*Interruptions*)

HON. SPEAKER: That is okay now.

PROF. SAUGATA ROY: Madam, you are the custodian. ...(*Interruptions*)

THE MINISTER OF URBAN DEVELOPMENT, MINISTER OF HOUSING AND URBAN POVERTY ALLEVIATION AND MINISTER OF INFORMATION AND BROADCASTING (SHRI M. VENKAIAH NAIDU): Madam Speaker, what is his point of order? ...(*Interruptions*) The Business says ...(*Interruptions*) The House is in turmoil because of them. ...(*Interruptions*) Do not waste the time of the House like this. ...(*Interruptions*)

HON. SPEAKER: Shri N.K. Premachandran.

...(*Interruptions*)

SHRI N.K. PREMACHANDRAN (KOLLAM): Madam Speaker, thank you very much. ...(*Interruptions*)

HON. SPEAKER: Do you want to say the same thing?

SHRI N.K. PREMACHANDRAN : No, Madam. I am on a different point.

HON. SPEAKER: Please tell the Rule Number.

SHRI N.K. PREMACHANDRAN: Madam, I thank you very much for allowing me to make my point of order. My point of order is under Rule 376 and Rules 81 and 82. Shri K.C. Venugopal has already talked about Rule 81. So, Madam, kindly go through Rule 82. The order of the President granting or withholding the sanction or recommendation to an amendment to a Bill shall be communicated to the Secretary General by the Minister concerned in writing.

Madam, my point is that I have given notices for seven amendments. Out of these seven amendments, five amendments require the recommendation of hon. His Excellency, the President. I would like to know from the hon. Finance Minister whether the recommendation in writing has been obtained from His Excellency, the President of India, so that I am getting the opportunity to move my amendments. That should be communicated in writing - whether it is withheld, whether it is assented or whether it is rejected. That is my first objection.

My second objection is that going to the Bill, kindly see section 199(C) of the Bill, that is, clause 3.

HON. SPEAKER: No, you cannot speak about the amendment.

SHRI N.K. PREMACHANDRAN: No, I am not going into the merit and I am not going to the amendment.

HON. SPEAKER: You are talking about the Bill. No, I am sorry.

SHRI N.K. PREMACHANDRAN: Madam, I may be allowed. Let the hon. Finance Minister reply.

Madam, yesterday the Revenue Secretary has unequivocally spoken before the Press that December 30th will be the last day for availing the benefit under it. ...(*Interruptions*)

HON. SPEAKER: No, that is another thing. You have given the motion for another thing.

SHRI N.K. PREMACHANDRAN: Madam, on this point of order, I am seeking a ruling.

Thank you very much.

HON. SPEAKER: Thank you very much.

Shri Arun Jaitley.

...(*Interruptions*)

श्री अरुण जेटली : माननीय अध्यक्ष जी, मैं आपका आभारी हूँ कि आपने टैक्ससेन अमेंडमेंट बिल, 2016 जैसे महत्वपूर्ण विधाय पर ...(*व्यवधान*)

HON. SPEAKER: That, I will.

...(*Interruptions*)

HON. SPEAKER: One thing is there that you have talked about the amendment. Let the amendment come. At that time, I will give the ruling. I am not saying 'no'.

...(*Interruptions*)

HON. SPEAKER: No, I am sorry.

Another thing is 'bring the House in order'. You have to do that. I am requesting you that this is an important Bill and therefore, please keep the House in order.

...(*Interruptions*)

HON. SPEAKER: At the time of consideration of the Bill, I will definitely do it.

...(Interruptions)

SHRI ARUN JAITLEY: Madam, the Bill has already been introduced yesterday. ...(Interruptions)

HON. SPEAKER: I am sorry. The Bill has already been introduced.

...(Interruptions)

HON. SPEAKER: You have to keep order in the House. I am requesting you all to let the House be in order so that we can discuss the Bill.

...(Interruptions)

HON. SPEAKER: No, I am sorry. This is an important Bill and an urgent one.

...(Interruptions)

HON. SPEAKER: At that time only, I will give my ruling.

Yes, hon. Minister.

...(Interruptions)

SHRI MOHAMMAD SALIM (RAIGANJ): Madam, this will go down as a black day in the history of Parliament. ...(Interruptions)

Madam, ...(Interruptions)

SHRI ARUN JAITLEY: Madam, I am sorry. This is a serious aspersion against the Chair. ...(Interruptions)

HON. SPEAKER: No, I am sorry.

â€¦ (Interruptions)

SHRI MOHAMMAD SALIM: Madam, you are the custodian of the whole House. ...(Interruptions)

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14.50 hours

(At this stage, Shri Kanti Lal Bhuria, Prof. Saugata Roy, Shri Mohammad Salim and some other hon. Members came and stood on the floor near the Table.)

SHRI M. VENKAIAH NAIDU: Madam, he has made comments against the Chair. ...(Interruptions)

I am sorry that he has made an aspersion against the Chair. That is what I am saying. This Bill was introduced yesterday. It is there in the agenda of the House. The Chair had allowed it. How can they raise an objection? They do not have the numbers. ...(Interruptions) They have disturbed the House from 17th till today. ...(Interruptions) They are wasting the time of the country and also the people. ...(Interruptions) This is a very important Bill. ...(Interruptions) Let them go to their seats; take part in the debate; and raise their objections, if any. ...(Interruptions) Madam, these amendments also have been moved and the Bill also has been introduced. ...(Interruptions) The Minister is now talking on the Bill. â€¦ (Interruptions) Let it go on. ...(Interruptions)

HON. SPEAKER: This is not the way.

...(Interruptions)

HON. SPEAKER: Now, hon. Minister, Shri Arun Jaitley.

...(Interruptions)